

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**JOHNNY DALE FLOYD; VIRGINIA FLOYD;
JENNIFER GAIL ROBINSON; LORENA ANN
GOFORTH; and JOANNA PAUL,**

Plaintiffs.

v.

**BP p.l.c.; ATLANTIC RICHFIELD COMPANY;
BP CORPORATION NORTH AMERICA INC.;
BP AMERICA INC.; BP PIPELINES (NORTH
AMERICA) INC.; MARATHON OIL
CORPORATION; MARATHON OIL
COMPANY; MARATHON PETROLEUM
CORPORATION; MARATHON PETROLEUM
COMPANY LP; KINDER MORGAN, INC.;
EPEC OIL COMPANY LIQUIDATING TRUST;
EL PASO TENNESSEE PIPELINE CO., L.L.C.;
EL PASO ENERGY, E.S.T. CO.; EPEC OIL
COMPANY; MIDWESTERN GAS
TRANSMISSION CO.; BOLIN OIL COMPANY,
a partnership, its partners, DANIEL HOUSTON
BOLIN, DANIEL PHILLIPS BOLIN, ROBERT
LEE BOLIN, CHARLES WILLIAM BOLIN, and
the successors of the Bolins; and PHILLIP ELIAS,**

Defendants.

Case No.: 21-cv-00132-CVE-CDL

**(Removed from the District Court
of Creek County, Bristow Division
Case No. BCJ-2020-00025)**

**KINDER MORGAN, INC., EPEC OIL COMPANY LIQUIDATING TRUST,
EL PASO TENNESSEE PIPELINE CO., L.L.C., EL PASO ENERGY E.S.T.
COMPANY, AND EPEC OIL COMPANY'S MOTION TO DISMISS**

Defendants Kinder Morgan, Inc., EPEC Oil Company Liquidating Trust, El Paso
Tennessee Pipeline Co., L.L.C., El Paso Energy E.S.T. Company, and EPEC Oil Company (the
“Moving Defendants”) for their motion to dismiss Plaintiffs’ Petition pursuant to Fed. R. Civ. P.
12(b)(6) adopt and incorporate by reference (1) Defendants, BP p.l.c., Atlantic Richfield

Company, BP Corporation North America Inc., BP America Inc. and BP Pipelines (North America) Inc.'s Motion to Dismiss and Brief in Support (Doc. 9) and (2) Marathon Defendants' Motion to Dismiss and Brief in Support (Doc. 18). These parties, like the Moving Defendants, are described in the Petition as Operational Defendants and for the same reasons set forth in their Motions, the claims against the Moving Defendants should be dismissed.

WHEREFORE, the Moving Defendants respectfully request this Court dismiss Plaintiffs' Petition and award whatever relief the Court deems just and equitable.

Dated March 31, 2021

Respectfully submitted,

/s/ Mark Banner

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PIPELINE CO., L.L.C., EL PASO ENERGY E.S.T.
COMPANY, AND EPEC OIL COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2021, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the ECF registrations in this case as follows:

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I further certify that on March 31, 2021, a true and correct copy of the foregoing document was also served via U.S. mail, postage prepaid, upon counsel as follows:

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